

contain a less amount. Misbranding was alleged for the further reason that the article was food in package form, and the quantity of the contents thereof was not plainly and conspicuously marked on the outside of the package.

On June 14, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$100 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9510. Misbranding of Hooper's female pills. U. S. * * * v. 57 Packages of Green Seal, 17 Packages of Black Seal, 54 Packages of Green Seal, and 56 Packages of Black Seal. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 13628, 13630, 13647. I. S. Nos. 8928-t, 8929-t, 8941-t, 8942-t. S. Nos. E-2573, E-2704, E-2709, E-2720.)

On September 4 and 16, 1920, respectively, the United States attorney for the Eastern District of Virginia, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 57 packages of Green Seal pills, consigned on April 3, 1920, and 17 packages of Black Seal pills, consigned on or about November 3, 1919, 54 packages of Green Seal pills, consigned on or about November 4, 1919, and 56 packages of Black Seal pills, consigned on or about January 15, 1920, remaining in the original unbroken packages at Richmond, Va., alleging that the article had been shipped by the Horace B. Taylor Co., Philadelphia, Pa., on the aforesaid dates, and transported from the State of Pennsylvania into the State of Virginia, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Extra Quality * * * Hooper's Pills."

Analyses of samples of both the Green Seal and Black Seal pills by the Bureau of Chemistry of this department showed that they consisted essentially of aloes and ferrous sulphate.

Misbranding of the article was alleged in substance in the libels for the reason that the packages and labels bore and contained the following statements regarding the curative and therapeutic effect thereof, (circular and wrapper) " * * * Female Pills * * * a safe and sovereign remedy in female complaints, * * * an Emmenagogue in producing menstruation. * * * for the removal of irregularities. * * * are used * * * (except in cases of pregnancy) * * *," (wrapper) " * * * opening obstructions of the vessels * * * cure of disorders peculiarly incident to the Female Sex, * * * remedy against those general complaints the Female Sex are subject to; * * * cleanse, purify, and cause a free circulation of the blood, * * * open those obstructions which Virgins are liable to, * * * best * * * for * * * the irregularities, * * * for the palpitation of the heart, giddiness, loathing of food, bad digestion, pains of the stomach, heating of the arteries of the neck, short breath. * * * scurvy * * * should be taken by all women at age of forty-five * * * to prevent those disorders which usually attend them at that time. * * * sovereign remedy * * * in all hypochondriac, hysterick, or vapourish disorders, * * * strengthens the nerves, * * * for * * * obstruction of * * * courses, * * * continue their use until the end is answered * * *" which statements were false and fraudulent in that the said article did not contain any ingredients or combination of ingredients capable of producing the effects claimed.

On February 3, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*